Remarks

Claims 6, 9-11, and 19-40 have been canceled without prejudice.

Claims 1, 3, 4, 12, 14, and 16 have been amended to more clearly recite that which is being claimed.

Claims 1-4, 7, 8, and 12-18 are pending.

Rejections:

Claims 1-3, 12-14 and 18 stand rejected under 35 USC 102(e) as being anticipated by U.S. Patent No. 6,035,400 issued to *Yasuoka*.

Claims 7 and 8 stand rejected under 35 USC 103(a) as being unpatentable over *Yasuoka* in view of U.S. Patent No. 6,227,643 issued to *Purcell et al.*

Claims 4 and 15-17 stand rejected under 35 USC 103(a) as being unpatentable over *Yasuoka* in view of *Purcell et al.*, and in further view of U.S. Patent No. 5,589,859 issued to *Schantz*.

Applicants respectfully request that the rejections be reconsidered and withdrawn given the clarifying amendments to the claims and for at least the following reasons.

Independent Claim 1 recites (***emphasis*** added):

> A method of regionalizing a manufactured device and consumable items utilized by the device, the device having an associated memory and the consumable items each having an information retaining mechanism, the method comprising:
>
> f***or each consumable item distributed within a region, pre-configuring the information retaining mechanism therein with region identification information that uniquely identifies the region***;
>
> installing in the device a consumable item having an information retaining mechanism pre-configured for the region;
>
> transferring the region identification information from the consumable item information retaining mechanism to the memory

associated with the device and storing the region identification information therein;

if the device is in a non-regionalized condition, permanently configuring the device in a regionalized condition based on the region identification information stored in the memory; and

once the device is in the regionalized condition, prohibiting the device from consuming a material supplied by a subsequently installed consumable item that is not pre-configured for use in the region.

Independent Claim 12 recites (***emphasis*** added):

A method of regionalizing a manufactured device and consumable items utilized by the device, the device having an associated memory and the consumable items each having an information retaining mechanism, the method comprising the steps of:

a) for each consumable item distributed within a region, pre-configuring the information retaining mechanism with region identification information that uniquely identifies the region;

b) installing in the device a consumable item having an information retaining mechanism pre-configured for the region;

c) transferring the region identification information from the consumable item information retaining mechanism to the memory associated with the device and storing the region identification information therein

d) ***if the device is in a non-regionalized condition, then permanently configuring the device in a regionalized condition based on the transferred region identification information stored in the memory***; and

for each subsequently installed consumable item,

e) testing the information retaining mechanism of the subsequently installed consumable item to determine the pre-configured region identification information contained therein;

f) comparing the pre-configured region identification information of the subsequently installed consumable with the region identification stored in memory, and

g) if the region identifications do not match, declining the subsequently installed consumable.

Yasuoka teaches that an information processing device compares two codes, namely, a reference code and a site code, to determine its operation. The reference code is "indicative of a predetermined area". The reference code can be stored in the device or in an external device to be connected to the device. The site code is determined by a "site code forming unit" within the device based on measured GPS

positional data. The measured GPS positional data "a" is produced by a GPS receiver located either within the device or within the external device. The resulting site code may also be stored using a rewritable site code storing unit within the device.

With regard to the reference code -- note that the only pre-configured code that is stored in the external device is the reference code. This stored reference code is then provided by the external device to the device as needed to perform a comparison to the site code. As such, *Yasuoka* fails to disclose or suggest that ***region identification information*** that is ***pre-configured*** in ***a consumable item*** is used to "***permanently configure the device in a regionalized condition***".

With regard to the site code – *Yasuoka* teaches that the site code, which is not pre-configured but rather determined by the device itself using the site code forming unit and currently measured GPS positional data, may be stored in a rewritable memory within the device. This storage essentially provides a solution to the potential problem that there may be times when the GPS positional data is unavailable (column 3, lines 1-9). Note that the site code is never present nor stored in the external device – the site code only exists within the device itself. Moreover, since the memory is rewritable the stored site code may be changed and therefore is not permanent. As such, *Yasuoka* fails to disclose or suggest that ***region identification information*** that is ***pre-configured*** in ***a consumable item*** is used to "***permanently configure the device in a regionalized condition***".

With regard to the measured GPS positional data "a" – for obvious reasons *Yasuoka* does not even suggest that the measured GPS positional data "a" is somehow pre-configured in the external device. Clearly the measured GPS positional data is generated by the GPS receiver in real-time and provided to the site code forming unit within the device. As such, *Yasuoka* fails to disclose or suggest

that ***region identification information*** that is ***pre-configured*** in ***a consumable item*** is used to "***permanently configure the device in a regionalized condition***".

Yasuoka also fails to disclose or suggest "***for each consumable item distributed within a region, pre-configuring the information retaining mechanism therein with region identification information that uniquely identifies the region***", and/or that "***once the device is in the regionalized condition, prohibiting the device from consuming a material supplied by a subsequently installed consumable item that is not pre-configured for use in the region***". The external device in *Yasuoka* is not disclosed as being some type of consumable item that includes a consumable material. Instead, it is simply a device such as a game cartridge or the like having circuitry and computer-readable instructions.

For at least these reasons, independent Claim 1 and dependent Claims 2 and 3 that add further limitations, and independent Claim 12 and dependent Claims 13, 14 and 18 that add further limitations, are clearly not anticipated by *Yasuoka*.

With regard to the rejections of Claims 7 and 8, which depend from Claim 1, based on the combination of *Yasuoka* and *Purcell et al.*, it is noted that neither *Yasuoka* or *Purcell et al.*, alone or in combination, disclose or suggest that ***region identification information*** that is ***pre-configured*** in ***a consumable item*** is used to "***permanently configure the device in a regionalized condition***" as was pointed out above as missing from *Yasuoka* and recited in independent Claim 1.

Furthermore, neither Yasuoka or *Purcell et al.*, alone or in combination, disclose or suggest that "***for each consumable item distributed within a region, pre-configuring the information retaining mechanism therein with region identification information that uniquely identifies the region***", and/or that "***once the device is in the regionalized condition, prohibiting the device from***

consuming a material supplied by a subsequently installed consumable item that is not pre-configured for use in the region" as was pointed out above as missing from *Yasuoka* and recited in independent Claim 1.

For at least these reasons, dependent Claims 7 and 8 are clearly patentable over the cited combination.

Claims 4 and 15-17 stand rejected under 35 USC 103(a) as being unpatentable over *Yasuoka* in view of *Purcell et al.*, and in further view of U.S. Patent No. 5,589,859 issued to *Schantz*.

With regard to the rejections of Claim 4, which depends from Claim 1, and Claims 15-17, which depend from Claim 12, based on the combination of *Yasuoka, Purcell et al.*, and *Schantz* it is noted that none of these references, alone or in combination, disclose or suggest that ***region identification information*** that is ***pre-configured*** in ***a consumable item*** is used to "***permanently configure the device in a regionalized condition***" as was pointed out above as missing from *Yasuoka* and recited in independent Claims 1 and 12.

Furthermore, neither Yasuoka or *Purcell et al.*, alone or in combination, disclose or suggest that "***for each consumable item distributed within a region, pre-configuring the information retaining mechanism therein with region identification information that uniquely identifies the region***", and/or that "***once the device is in the regionalized condition, prohibiting the device from consuming a material supplied by a subsequently installed consumable item that is not pre-configured for use in the region***" as was pointed out above as missing from *Yasuoka* and recited in independent Claims 1 and12.

For at least these reasons, dependent Claims 4 and 15-17 are clearly patentable over the cited combination.

For at least these reasons it is respectfully requested that the rejections be reconsidered and withdrawn given that the pending claims 1-4, 7, 8, and 12-18 are clearly patentable over the cited art and in condition for prompt allowance.

Respectfully submitted,

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